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CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Woodrow Lovell,

Plaintiff,

-VS-

Primary Financial Services,  
a corporation; and Does 1 through 10  
inclusive

Defendant.

Case No: CV-09-1419-PHX-FJM

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING  
TO FEDERAL AND/OR LOCAL RULES AND PRACTICES  
AND IS SUBJECT TO REJECTION BY THE COURT.

REFERENCE: 7.1(a)(1)

(Rule Number/Section)

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**COMPLAINT**

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**JURISDICTION**

Jurisdiction of this court arises under 28 U.S.C. 1331 and pursuant to 15 U.S.C. 1692k(d), and pursuant to 28 U.S.C. 1367 for pendent state law claims.

This action arises out of Defendant's violations of the Fair Debt Collection Practices Act., 15 U.S.C. 1692, et seq. ("FDCPA")

Plaintiff, Woodrow Lovell, is a natural person residing in the State of California, County of San Diego and is a "consumer" as that term is defined by 15 U.S.C. 1692a(3)

Defendant Primary Financial Services, is a collection agency operating from an address of 3115 North Third Avenue, Phoenix, Arizona 85013 and is a "debt collector" as that term is defined by 15 U.S.C. 1692A(6)

Venue is proper in this district because the acts and transactions occurred here, and the Defendant transacts business here.

Defendants are engaged in the collection of debts from consumers using the mail and telephone. Defendants regularly attempt to collect consumer debts alleged to be due to another. Defendants are "debt collectors" as defined by the FDCPA, 15 U.S.C. 1692A(6)

The true names and capacities, whether individual, corporate (including officers and directors thereof), associate or otherwise of Defendants sued herein as DOES 1 through 10, inclusive, are unknown to Plaintiff, who therefore sues these Defendants by such fictitious names. Plaintiff is informed and believes, and alleges that each Defendant designated as a DOE is involved in or is in some manner responsible, as a principal, beneficiary, agent, co-conspirator, joint venturer, alter ego, third party beneficiary, or otherwise, for the agreements, transactions, events and/or acts hereinafter described, and thereby proximately caused injuries and damages to Plaintiff. Plaintiff requests that when the true names and capacities of these DOE Defendants are ascertained, they may be inserted in all subsequent proceedings, and that this action may proceed against them under their true names.

#### **FACTUAL SUMMARY**

Sometime prior to May 2009, upon information and belief, it was alleged Plaintiff incurred a financial obligation that was primarily for personal, family or household purposes, and therefore a "debt" as that term is defined by 15 U.S.C. 1692A(5).

Sometime thereafter, the alleged debt was consigned, placed or otherwise transferred to the Defendant for collection from Plaintiff.

In June 2009, Plaintiff received a letter from the Defendant threatening "further action". This letter contained no information about the debt. This letter did not contain information compliant with the FDCPA such as that the Plaintiff had the right to dispute the validity of this debt. This letter also demanded immediate payment.

As a result of the Defendants collections activities and communications, the Plaintiff has suffered loss of self-esteem and peace of mind, and has suffered emotional distress, humiliation and embarrassment.

**COUNT I, FDCPA VIOLATIONS**

The previous paragraphs are incorporated into this count as if set forth in full.

The acts and omissions of the Defendants and its representatives, employees and or agents constitute numerous and multiple violations of the FDCPA.

The acts Defendants violations are multiple, willful and intentional.

Pursuant to FDCPA Section 1692k the Plaintiff is entitled to actual damages, statutory damages, and reasonable costs and fees.

**COUNT III INVASION OF PRIVACY, INTRUSION INTO PRIVATE AFFAIRS**

Plaintiff, repeats, re alleges, and incorporates by reference all of the foregoing paragraphs.

Plaintiff has a reasonable expectation of privacy in his solitude, seclusion, and private concerns and affairs.

Defendants willfully and intentionally intruded into Plaintiff's solitude, seclusion and private affairs by repeatedly and unlawfully attempting to collect a debt.

Defendants intrusions would be highly offensive to a reasonable person, and did in fact offend the Plaintiff.

As a result of such invasions of privacy, Plaintiff was harmed and caused great mental and physical pain.

Defendants acted with oppression, fraud or malice, and Defendants are therefore liable to the Plaintiff for damages in an amount to be proven at trial, and for punitive damages.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against the Defendants for the following:

- (a) actual damages.
- (b) Statutory damages pursuant to 15 USC 1692k
- (c) costs and reasonable fees
- (d) punitive damages
- (e) For such other relief as the court may deem just and proper.

Date: 6-29-09

Woodrow Lovell/Pro Se: Woodrow Lovell  
4012 Aguila Street, Unit E  
Carlsbad, California 92008

**DEMAND FOR JURY TRIAL**

Please take note that Plaintiff demands trial by jury in this action.

Date: 6-29-09  
Signature: Woodrow Lovell